

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SABAH KRIZEM-KHEDIR,

)

4:10CV3236

)

Plaintiff,

)

)

v.

)

**MEMORANDUM
AND ORDER**

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DAVOL, INC.,

)

)

Defendant.

)

This matter is before the court on its own motion. On December 10, 2010, Defendant removed this matter to this court from the Lancaster County, Nebraska District Court. (Filing No. 1.) On that same date, Defendant noted that this matter relates to other product liability complaints filed against Defendant around the country and indicated that this matter “can and should become part of” pending MDL proceedings in the United States District Court for the District of Rhode Island. (Id. at CM/ECF p. 1.)

On December 13, 2010, this court sent copies of the Complaint and the Docket Sheet in this matter to the MDL Judicial Panel in Washington, D.C. (Filing No. 7.) In light of this, the court will stay this matter for 60 days in order for the MDL Judicial Panel to determine whether this matter should be consolidated with proceedings in the District of Rhode Island. In the event that the MDL Judicial Panel takes no action in this matter within 60 days, this matter will be progressed in accordance with the court’s normal procedures.

IT IS THEREFORE ORDERED that:

1. This matter is stayed until **February 21, 2011**. The court will take no action in this matter until that date.

2. In the event that the MDL Judicial Panel takes no action to consolidate this matter within 60 days, the court will progress this matter in accordance with its normal procedures.

3. The Clerk of the court is directed to send a copy of this Memorandum and Order to the MDL Judicial Panel in Washington, D.C.

4. The Clerk of the court is directed to set a pro se case management deadline in this case with the following text: February 21, 2011: review case to determine whether MDL Panel will consolidate and progress if nothing filed.

DATED this 23rd day of December, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge